

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
V.)	CIVIL ACTION NO. SA-07-CA-1048-XR
)	
REAL PROPERTY KNOWN AS LOT 6,)	
BLOCK 2 OF LA CALETA ESTATES,)	
VAL VERDE COUNTY, TEXAS, WITH)	
ALL BUILDINGS, APPURTENANCES)	
AND IMPROVEMENTS THEREON,)	
)	
Respondent.)	

**UNITED STATES OF AMERICA'S
MOTION TO UNSEAL APPENDIX A, WHICH IS FACTS PERTINENT TO
VIOLATIONS IN SUPPORT OF VERIFIED COMPLAINT FOR FORFEITURE**

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, and moves this Court to enter an Order granting the United States' Motion to Unseal Appendix A, which is Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture. In support of its Motion, the United States respectfully states as follows:

I.

At the time of filing of the Verified Complaint for Forfeiture on December 28, 2007, it was necessary to seal the Appendix A, which is Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture, because it included references to an ongoing criminal investigation. However, the United States has been advised that the unsealing of said Appendix A will no longer compromise this criminal investigation, and there is no longer a need to maintain the above-referenced Appendix A *under seal*.

II.

At this time, the United States moves the Court to enter an Order for the Clerk of the Court to unseal the following pleadings:

- 1) United States of America's *Ex Parte* Application to File Under Seal, its Appendix A, which is Entitled Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture, filed on December 28, 2007; and
- 2) Appendix A, which is Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture, filed on December 28, 2007.

WHEREFORE, premises considered, the United States moves the Court to grant the within Motion.

Respectfully submitted,

JOHNNY SUTTON
United States Attorney

By: /s/ _____
Diana Cruz-Zapata
Assistant United States Attorney
Chief, Asset Forfeiture Section
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Texas Bar No. 05196800

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2008, a true and correct copy of the forgoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System, a copy of which has been sent via CM/ECF notification and/or certified mail, return receipt requested, to the following:

David Ricardo Ramirez
Inmate No. 11640-280
GEO
218 S. Laredo Street
San Antonio, TX 78207

Jay S. Norton
Attorney at Law
222 Main Plaza
San Antonio, TX 78205
Attorney representing David Ricardo Ramirez in Criminal No. SA-08-CR-123-XR

/s/ _____
Diana Cruz-Zapata
Assistant United States Attorney

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ORDER TO UNSEAL

Came on to be considered the United States of America's Motion to Unseal Appendix A, which is Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture, and this Court being fully and wholly apprised in all its premises, finds the motion meritorious and should be, and hereby is, in all things GRANTED. IT IS THEREFORE

ORDERED that the Clerk of the Court shall unseal the following pleadings:

- 1) United States of America's *Ex Parte* Application to File Under Seal, its Appendix A, which is Entitled Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture, filed on December 28, 2007; and
- 2) Appendix A, which is Facts Pertinent to Violations in Support of Verified Complaint for Forfeiture, filed on December 28, 2007.

IT IS SO ORDERED.

SIGNED this ____ day of _____, 2008.

XAVIER RODRIGUEZ
United States District Judge